

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,  
Plaintiff,  
v.

JARED A. MONEZ, et al.,  
Defendants.

Case No. [4:17-cv-03469-KAW](#)

**ORDER GRANTING MOTION FOR  
LEAVE TO FILE FIRST AMENDED  
COMPLAINT**

Re: Dkt. No. 36

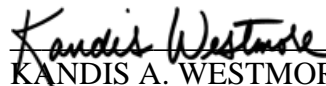
On June 29, 2018, Plaintiff filed a motion for leave to file a first amended complaint, because defense counsel did not respond in time to file a stipulation by the Court's deadline. (*See* Decl. of Elliott Montgomery, Dkt. No. 36-3 ¶¶ 6-8.) The motion is currently set for hearing on August 16, 2018. Pursuant to Civil Local Rule 7-3, Defendants' opposition or statement of non-opposition was due on or before July 13, 2018. To date, Defendants have filed neither document.

Pursuant to the undersigned's standing order, "[t]he failure of the opposing party to file a memorandum of points and authorities in opposition to any motion shall constitute consent to the granting of the motion." (Judge Westmore's General Standing Order ¶ 22.)

Accordingly, Plaintiff's motion for leave to file a first amended complaint is GRANTED. Plaintiff shall file the first amended complaint within 7 days of this order.

IT IS SO ORDERED.

Dated: July 16, 2018

  
KANDIS A. WESTMORE  
United States Magistrate Judge